

Serial No.: 10/733,976
Group Art Unit: 3683

REMARKS

The entire specification has been amended herein as shown by strike through and underlining on the accompanying edited specification pages to correct minor errors of commission and omission to insure proper understanding of the structure and mode of operation of the invention. Since changes have been made throughout the entire original specification pages 1-11, the complete edited specification is provided in its entirety herein. No new matter is involved. The amended title emphasizes the basic concept of the invention which distinguishes over the references of record.

In view of the Examiner's citation of the patent to Machal (4,881,622), the original claims 1-6 are cancelled herein and claims 7-16 are substituted therefor in order to identify with specific clarity the structural features of this invention not found in the reference and which structural features provide a mode of operation set forth in new claims 15 and 16 which is not capable of performance by the reference structure. For this purpose the new claims include reference numerals of the various components to facilitate the Examiner's understanding of the structure and mode of operation.

Thus, new claim 7 identifies, at paragraph a, a lanyard line (L) having opposite ends fitted with coupler members (54, 56), a hollow body member (12) supporting the lanyard line (L) intermediate its ends as opposite end segments (L', L'') each having a length sufficient to

Serial No.: 10/733,976

Group Art Unit: 3683

encircle an object to be climbed. Figs. 7-9 illustrate this critical requirement which enables the alternate use of the segments L' and L" of the lanyard line L in circumventing laterally projecting obstacles (B). The method of use set forth in new claims 15 and 16 clearly recites the steps of switching the use of lanyard line segments L' and L" in circumventing lateral obstructions (B) on the vertical structure (T) to facilitate continued climbing, while insuring the safety of the climber by clamping each end segment (L', L"), one at a time, to the body member (12) by an associated end of the pivoted brake cam assembly (16).

It is believed to be apparent that the reference Machal cannot function in the manner of the present invention because of the absence of a teaching or suggestion of the requirement of a lanyard line (L) extending from the hollow body member (12) as first and second end segments (L', L") each having a length sufficient to encircle an object to be climbed. The pivot pin 30 of Machal functions to afford pivoting of arms 40, 40 bidirectionally, but Machal does not provide or remotely suggest a lanyard line configured as opposite end segments each capable of encircling a tree or other vertical structure that has laterally projecting obstructions.

Dependent claims 8-11 are similar to original dependent claims 2-5, and dependent claims 12 and 13 are added to identify further structural details related to the rotary shaft 28, 30.

Method claims 15 and 16 are added herein in accordance with the suggestion of the

Serial No.: 10/733,976

Group Art Unit: 3683

Examiner in relation to his rejection of claim 6. Method claims 15 and 16 clearly identify the lanyard line (L) as having a pair of end segments (L', L'') for switching between said lanyard line segments to circumvent tree branches (B), or other laterally extending obstructions, during climbing, as also recited in apparatus claim 7.

In this regard, it is significant to note that the reference Machal does not require, nor indeed could even use, a lanyard line that is divided into two end segments, in the manner and for the purpose of this invention. In this, the new claims now positively recite a safety brake climbing lanyard apparatus including the specific lanyard line, harness and brake apparatus of the system, as well as a specific method of climbing trees, etc.

For the reasons discussed in detail hereinbefore, it is submitted that the claims as now presented clearly distinguish patentably over the references of record, and particularly the reference Machal, and are in proper condition for allowance, and the specification as herein

Group Art Unit: 3683

Respectfully submitted

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Date of Signature 12/1/04